

No. 656. EIGHTH AVENUE RAILROAD COMPANY *v.* JOB E. HEDGES, AS RECEIVER OF THE NEW YORK RAILWAYS COMPANY; and

No. 657. NINTH AVENUE RAILROAD COMPANY *v.* JOB E. HEDGES, AS RECEIVER OF THE NEW YORK RAILWAYS COMPANY. Appeals from the Circuit Court of Appeals for the Second Circuit. Motion to dismiss submitted June 4, 1923. Decided June 11, 1923. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; *Begg v. City of New York*, ante, 196. *Mr. Michel Kirkland* and *Mr. Morgan J. O'Brien* for appellants. *Mr. Walter Howe* and *Mr. Bronson Winthrop* for appellee.

PETITIONS FOR CERTIORARI GRANTED, FROM
APRIL 10, 1923, TO AND INCLUDING JUNE 11,
1923.

No. 924. THOMAS HAMMERSCHMIDT ET AL. *v.* UNITED STATES. April 16, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Joseph W. Sharts* for petitioners. *Mr. Solicitor General Beck*, *Mr. Assistant Attorney General Crim* and *Mr. Harry S. Ridgely* for the United States.

No. 935. HARRY H. WEISS, COLLECTOR OF INTERNAL REVENUE, *v.* LOUIS STEARN. April 23, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Solicitor General Beck*, *Mrs. Mabel Walker Willebrandt*, Assistant Attorney General, and *Mr. John C. Hayes* for petitioner. *Mr. Charles P. Hine* for respondent.

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Certiorari Granted.

No. 936. HARRY H. WEISS, COLLECTOR OF INTERNAL REVENUE, *v.* JOHN G. WHITE. April 23, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. Solicitor General Beck, Mrs. Mabel Walker Willebrandt*, Assistant Attorney General, and *Mr. John C. Hayes* for petitioner. *Mr. John G. White, Mr. A. V. Cannon* and *Mr. W. H. Annat* for respondent.

No. 953. ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY *v.* O. J. NICHOLS. April 23, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Edgar W. Camp, Mr. Robert O. Brennan, Mr. Gardiner Lathrop* and *Mr. Paul Burks* for petitioner. *Mr. Lyndol L. Young* for respondent.

No. 984. RAILROAD COMMISSION OF THE STATE OF CALIFORNIA *v.* SOUTHERN PACIFIC COMPANY ET AL;

No. 985. RAILROAD COMMISSION OF THE STATE OF CALIFORNIA *v.* ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY; and

No. 986. RAILROAD COMMISSION OF THE STATE OF CALIFORNIA *v.* LOS ANGELES & SALT LAKE RAILROAD COMPANY. April 23, 1923. Petition for writs of certiorari to the Supreme Court of the State of California granted. *Mr. Hugh Gordon* for petitioner. *Mr. C. W. Durbrow, Mr. E. W. Camp, Mr. A. S. Halsted* and *Mr. Charles H. Bates* for respondents.

No. 998. JACOB GOLDMAN, RECEIVER, *v.* FRANK M. McKEY, TRUSTEE. April 23, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Lewis F. Jacobson* for petitioner. *Mr. Frederick D. Silber* and *Mr. Clarence J. Silber* for respondent.

No. 1003. THOMAS AGNELLO ET AL. *v.* UNITED STATES. April 30, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. George Gordon Battle* for petitioners. *Mr. Solicitor General Beck* for the United States.

No. 974. WILLIAM H. EDWARDS, FORMERLY COLLECTOR OF INTERNAL REVENUE, ETC. *v.* JOSEPH JERMAIN SLOCUM ET AL. May 7, 1923. Petition for a writ of certiorari to the Circuit of Appeals for the Second Circuit granted. *Mr. Solicitor General Beck* for petitioner. *Mr. Robert Thorne* for respondents.

No. 978. MAGNUM IMPORT COMPANY, INC. *v.* FRANCOIS JOSEPH DE SPOTURNO COTY;

No. 979. MAX L. COHN, TRADING AS MACLEN IMPORT COMPANY, *v.* FRANCOIS JOSEPH DE SPOTURNO COTY;

No. 980. ARTHUR BAUM ET AL., TRADING AS BEAUTEX COMPANY, *v.* FRANCOIS JOSEPH DE SPOTURNO COTY;

No. 981. MAGNUM IMPORT COMPANY, INC. *v.* HOUBIGANT, INC., and

No. 982. IVORY NOVELTIES TRADING COMPANY, INC. *v.* FRANCOIS JOSEPH DE SPOTURNO COTY. May 7, 1923. Petition for writs of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Charles H. Tuttle* and *Mr. William J. Hughes* for petitioners. *Mr. Hugo Mock*, *Mr. Asher Blum* and *Mr. Frederic D. McKenney* for respondents in Nos. 978, 979, 980 and 982. *Mr. Lindley M. Garrison*, *Mr. George S. Hornblower*, *Mr. Raoul E. Desvernine* and *Mr. Frederic D. McKenney* for respondent in No. 981. [See *ante*, 159, 729.]

No. 994. UNITED STATES *v.* GULF REFINING COMPANY. May 7, 1923. Petition for a writ of certiorari to the

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Certiorari Granted.

Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Solicitor General Beck* for the United States. *Mr. R. L. Batts* and *Mr. Frank M. Swacker* for respondent.

No. 915. YOUNG MEN'S CHRISTIAN ASSOCIATION OF COLUMBUS, OHIO, ET AL. *v.* ORA DAVIS ET AL. May 21, 1923. Petition for rehearing granted; and petition for a writ of certiorari to the Supreme Court of the State of Ohio granted. *Mr. Frank Davis, Jr., Mr. Henry A. Williams, Mr. Guy W. Mallon* and *Mr. James I. Boulger* for petitioners. *Mr. Arthur I. Vorys* for respondents. [See *post*, 745.]

No. 1041. LOUIS B. MACKENZIE *v.* A. ENGELHARD & SONS COMPANY. May 21, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. William Marshall Bullitt* for petitioner. No appearance for respondent.

No. 1052. A. ENGELHARD & SONS COMPANY *v.* LOUIS B. MACKENZIE. May 21, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit granted. *Mr. R. A. McDowell* for petitioner. No appearance for respondent.

No. 1012. WESTERN UNION TELEGRAPH COMPANY *v.* J. A. CZIZEK. May 21, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Francis Raymond Stark* and *Mr. Beverly L. Hodghead* for petitioner. No appearance for respondent.

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No. 1004. JAMES C. DAVIS, AGENT, ETC. *v.* R. L. CORNWELL. May 21, 1923. Petition for a writ of certiorari to the Supreme Court of the State of Montana granted. *Mr. I. Parker Veazey, Jr.*, and *Mr. A. A. McLaughlin* for petitioner. *Mr. Edwin L. Norris* and *Mr. George E. Hurd* for respondent.

No. 1008. CHUNG FOOK *v.* EDWARD WHITE, AS COMMISSIONER OF IMMIGRATION, ETC. May 21, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. George W. Hott* for petitioner. *Mr. Solicitor General Beck*, *Mr. Assistant Attorney General Ottinger* and *Mr. Charles H. Weston* for respondent.

No. 1018. ERIE RAILROAD COMPANY *v.* MARTIN KIRKENDALL. June 4, 1923. Petition for a writ of certiorari to the Court of Appeals, Eighth Judicial District, of the State of Ohio, granted. *Mr. Edward A. Foote* for petitioner. *Mr. E. P. Chamberlin* for respondent.

No. 1031. GREAT NORTHERN RAILWAY COMPANY *v.* GALBREATH CATTLE COMPANY ET AL. June 4, 1923. Petition for a writ of certiorari to the Supreme Court of the State of Montana granted. *Mr. I. Parker Veazey, Jr.*, and *Mr. F. G. Dorety* for petitioner. *Mr. E. E. Enterline* and *Mr. Samuel Herrick* for respondents.

No. 1035. MISSOURI PACIFIC RAILROAD COMPANY *v.* R. L. HANNA. June 4, 1923. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas granted. *Mr. Edward J. White* and *Mr. Thomas B. Pryor* for petitioner. No appearance for respondent.

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Certiorari Granted.

No. 1039. CLARENCE D. KELLER ET AL., ETC. *v.* ADAMS-CAMPBELL COMPANY, INC., ET AL. June 4, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Ninth Circuit granted. *Mr. Charles E. Townsend* for petitioners. No appearance for respondents.

No. 1054. JAMES C. DAVIS, AGENT, ETC. *v.* J. M. CURRIE. June 11, 1923. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina granted. *Mr. Thomas W. Davis* and *Mr. Douglas McKay* for petitioner. No appearance for respondent.

No. 1059. JAMES C. DAVIS, AGENT, ETC. *v.* JOHN O'HARA. June 11, 1923. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska granted. *Mr. A. A. McLaughlin*, *Mr. N. H. Loomis* and *Mr. C. A. Magau* for petitioner. *Mr. Benjamin S. Baker* for respondent.

No. 1082. HERMAN G. GERDES, AS TRUSTEE IN BANKRUPTCY OF ABRAHAM LUSTGARTEN, BANKRUPT, *v.* ABRAHAM LUSTGARTEN. June 11, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Moses Cohen* for petitioner. *Mr. Lawrence J. Bershad* for respondent.

No. 1110. PEOPLE OF THE STATE OF NEW YORK *v.* LOUIS JERSAWIT, AS TRUSTEE IN BANKRUPTCY OF AJAX DRESS COMPANY, INC. June 11, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Robert P. Beyer* and *Mr. C. T. Dawes* for petitioner. *Mr. Harry B. Singer* for respondent.

Certiorari Denied.

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No. 1113. THOMAS A. DELANEY *v.* UNITED STATES. June 11, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Seventh Circuit granted. *Mr. Michael M. Doyle* and *Mr. Lawrence M. Fine* for petitioner. No brief filed for the United States.

PETITIONS FOR CERTIORARI DENIED, FROM
APRIL 10, 1923, TO AND INCLUDING JUNE 11,
1923.

No. 883. GOSHO COMPANY, INC. *v.* SOUTHERN PACIFIC COMPANY. April 16, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Sixth Circuit denied. *Mr. R. W. Flourney* for petitioner. *Mr. C. F. R. Ogilby* and *Mr. William F. Herrin* for respondent.

No. 890. JAMES C. DAVIS, DIRECTOR GENERAL OF RAILROADS, AGENT, *v.* MICHAEL J. HANLON. April 16, 1923. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied. *Mr. Thomas Patterson* for petitioner. No appearance for respondent.

No. 893. VULCANITE ROOFING COMPANY, INC. *v.* COMMONWEALTH STEAMSHIP COMPANY, LTD. April 16, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the Fourth Circuit denied. *Mr. Oscar R. Houston*, *Mr. D. Roger Englar* and *Mr. Henry H. Little* for petitioner. *Mr. John M. Woolsey* and *Mr. Edward R. Baird, Jr.*, for respondent.

No. 894. BROWN-CRUMMER COMPANY *v.* W. M. RICE CONSTRUCTION COMPANY. April 16, 1923. Petition for a writ of certiorari to the Circuit Court of Appeals for the